

R21-39

**RESOLUTION OF THE BOROUGH OF
MERCHANTVILLE, COUNTY OF CAMDEN AND STATE
OF NEW JERSEY AUTHORIZING THE TEMPORARY
CLOSURE OF A CERTAIN DESIGNATED PORTION OF
WEST CHESTNUT AVENUE, AND THE TEMPORARY
SUSPENSION OF ENFORCEMENT OF CHAPTER 5-14
AND PORTIONS OF CHAPTER 5-15 OF THE CODE OF
THE BOROUGH OF MERCHANTVILLE**

WHEREAS, the Mayor and Borough Council of the Borough of Merchantville (hereinafter, "Mayor & Council") seek to establish a balance between the competing and conflicting public interests in promoting the reestablishment of public commerce in the Borough of Merchantville, while maintaining safe social distancing to minimize the threat and spread of the Coronavirus pandemic; and

WHEREAS, the Mayor & Council, in recognizing the need for a viable business district in the Borough, have determined that temporary outdoor restaurant seating is imperative in the promotion of this compelling public interest, provided that the implementation of same will occur on a temporary basis, and does not contravene any other public health and safety concerns as set forth in the Borough's and any other State or County regulatory requirements; and

WHEREAS, the Mayor & Council desire to implement such measure as expeditiously as possible to minimize red tape and bureaucratic delay, but subject to a lawful process that will protect the interests of the residents of Borough of Merchantville and its taxpayers; and

WHEREAS, the Mayor & Council acknowledge the existence of the Governor's Executive Orders in respect of the restricted operations of retail businesses and restaurants at this time and, thus, such time period of this relief shall be extended to November 30, 2022 or further action of the Mayor and the Borough Council of the Borough of Merchantville, whichever shall occur sooner; and

NOW, THEREFORE, BE IT RESOLVED by the Mayor and the Borough Council of the Borough of Merchantville that the portion of West Chestnut Street, immediate adjacent to Block 22, Lot 21 on the Official Tax Map of the Borough of Merchantville, from the crosswalk at its intersection with South Centre Street, running in a general westerly direction to a point a distance of one hundred, twenty (120') feet, as so designated by the map attached hereto as "Exhibit A," shall be closed to all vehicular traffic until November 30, 2021, or further action of the Mayor and the Borough Council of the Borough of Merchantville, whichever shall occur sooner; and

BE IT FURTHER RESOLVED that enforcement of Chapter 5-14, Chapter 5-15(A) and Chapter 5-15(B) of the Code of the Borough of Merchantville, as it relates to "public streets, lanes or sidewalks" only, shall be temporarily suspended in the areas so designated the map attached hereto as "Exhibit A," until November 30, 2021, during the hours as set forth in these Chapters, respectively; and

BE IT FURTHER RESOLVED that Chapter 5-14, Chapter 5-15(A) and Chapter 5-15(B) of the Code of the Borough of Merchantville shall be in full force and effect in all other areas of the Borough of Merchantville during the aforementioned time periods.

March 8, 2021

THE BOROUGH OF MERCHANTVILLE

BY: _____
EDWARD F. BRENNAN, MAYOR

ATTEST:

DENISE BROUSE, BOROUGH CLERK

I, **DENISE BROUSE**, Borough Clerk for the Borough of Merchantville, do hereby certify the foregoing to be a true and correct copy of the Resolution of the Borough of Merchantville, at a meeting of said Borough of Merchantville on March 8, 2021, and that said Resolution was passed by a majority vote of the Borough Council of the Borough of Merchantville.

DENISE BROUSE, BOROUGH CLERK